Liberty

NOT THE DAUGHTER BUT THE MOTHER OF ORDER — PROUDHON

Vol. I. BOSTON, MASS., SATURDAY, MAY 27, 1882. No. 21.

"For always in Thine eyes, O Liberty!
Shines that high light whereby the world is saved;
And though thou slay us, we will trust in thee."

JOHN HAY.

On Picket Duty.

In consequence of the Dublin murder, Mr. Gladstone has introduced a bill "for the repression of crime in Ireland." We wish this most excellent purpose might be carried out, and would suggest to Mr. Gladstone that the first crime he should attempt to repress is one of about seven hundred years' standing. Until this first and great crime shall be repressed, we think all his other efforts to repress crime in Ireland will be labor lost.

The "Index-Appeal" of Petersburg, Virginia, says that "there is no known belief, misbelief, or unbelief that has not a building erected in its honor in New England and called a church." The "New York Times" answers: "Oh, yes, there is one, — that slavery was a divine institution." True enough, but only because the churches of New England were at one time so nearly unanimous in defending or excusing slavery that there was no call for erecting another especially in its honor.

Liberty is glad to hear from Moncure D. Conway that "it would be safe to say that the large majority of educated Englishmen (except those retained to maintain other views) are convinced that Charles Bradlaugh and Mrs. Besant, by diffusing popular knowledge of checks on child-bearing which do away with temptation to infanticide or abortion, are doing a service to England for which posterity will build them monuments when every politician and priest now persecuting them shall be forgotten."

It is not often that a typographical error does anything but mischief, but such exceptions to the general rule do sometimes occur. For instance, in a poem lately printed in the Boston "Advertiser" descriptive of Emerson's funeral occurred the following lines: "The words of love were said, we *brayed* and sang together." The printer who set this up evidently had faithfully read the reports of the funeral services. We submit that, in consideration of his devotion to truth in this instance, the much-abused "intelligent compositor" should be forgiven many sins.

Judge Jeremiah Black has been defending the Land League. In his defense he took occasion to say: "The title to the land is in the landlords, and cannot be questioned with any decent show of truth. To take it from them and give it to the tenants would be naked robbery." Liberty ventures to say that among the speeches delivered by Judge Jeremiah Black twenty-five years ago it could find some such passage as this: "The title to the slaves is in the slaveholders, and cannot be questioned with any decent show of truth. To take them from the slaveholders and give them to themselves would be naked robbery." The Land League is better off without any such defenders as Judge Jeremiah Black.

A new labor journal, called "The Emancipator," reaches us from San Francisco. It does not command our respect, though flying the noble motto, "Liberty, Equality, Fraternity." It illustrates its idea of Liberty by denying to the Chinese the Liberty to decide where they will live and toil; it illustrates its idea of Equality by advising white laborers to "command" yellow laborers to leave the country; it illustrates its idea of Fraternity by asking the people of California to "shoot down every Chinaman who steps his foot upon our soil, and shoot down every white man who attempts to stand in your way." "The Emancipator" clearly needs to be emancipated. To that end we shall send it Liberty regularly. The real article will soon drive out the shams.

A crazy citizen of Rochester, N. Y., named Lehmair, who fancies himself entrusted with the "mission" of destroying obscenity, walked into an art gallery the other day and cut to pieces a valuable painting which, to his mind, too freely exhibited the charms of the human form. He is now in jail. A perfectly sane citizen of New York, named Comstock, who professes a similar mission, but really desires only to feather his own nest (and perhaps befoul it), has been committing offenses like Lehmair's, and much grosser ones in the same line, for more than a decade. He is not in jail, but a prominent idol of Church and State, receiving a fat salary from one and holding an office from the other. Such is the difference between the awards bestowed by these "holy" institutions upon honest "cranks" and shrewd hypocrites.

A paragraph in the last issue of Liberty contained the following sentence: "The Boston 'Globe' says that Patrick Ford 'went into the Land League for the purpose of capturing it.'" We are informed that the editor of the "Globe" considers that we have misquoted him. That no injustice may be done we submit his exact words without comment: "There is a large element in the Land League movement opposed to any peaceful settlement with England, or any adjustment of the difficulty which does not recognize Ireland's right to absolute separation. In America these men are chiefly represented by O'Donovan Rossa, John Devoy, and Patrick Ford. They went into the Land League for the purpose of capturing it — for the purpose of turning it into a revolutionary organization. The old Fenian elements, the clan na gael elements, and the wild, unthinking Socialistic, Communistic, and Nihilistic masses followed."

In one of its earlier issues Liberty claimed Charles A. Dana as an Anarchist. The following from the editorial columns of his journal, the New York "Sun," entirely substantiates our claim: "We believe in free trade. We believe in universal peace. We believe in the abolition of armies and navies. We believe in a democratic, self-governing, co-operative, and harmonious system of society organized in consonance with the nature of man, and free from poverty, free from police, and free from jails." How splendid a creed! Liberty subscribes to each and every article, and adopts it as her own. But why is not the "Sun" at Liberty's side, battling to make these beautiful beliefs realities? Does it not know that, broadly speaking, monopoly makes usury, and usury makes poverty, and poverty makes crime, and crime makes police and jails and armies necessary? Of course it knows these things. And yet it not only never says a word against the principal monopolies, but politically champions many of the men interested in them. Until the "Sun" makes open war on property in land and monopoly of banking, its political and social creed, however often and impressively recited, will bear the impress of insincerity.

The erection of numerous palatial residences on Fifth Avenue by the money magnates of New York is a very alarming social symptom in the eyes of Felix Adler, the progressive Hebrew who presides over the New York "Society of Ethical Culture." In a recent discourse upon it he took the ground that, no matter how wealthy a man may be, he has no right to consume his wealth in luxurious living. Why not, we should like to know. May not a man do as he likes with his own? That the possessions of wealthy men are not rightfully their own we are very well aware, but about that matter Mr. Adler does not seem concerned. How our millionaires *spend* their money is a secondary question, the vital point being how they *get* it. To this point Mr. Adler, if he is in earnest, must turn his attention. Let him ask, not what wealthy men do with their money, but whether there ought to be any wealthy men.

Never was the contrast between the politician and the reformer more strikingly exhibited than in the attitudes of Parnell and Davitt since they came out of prison: Parnell cowed, Davitt resolute; Parnell anxious to compromise, Davitt more exacting than ever in his demands; Parnell retreating in dismay, Davitt advancing valiantly to the fore. Here were two men engaged in a battle for the abolition of landlordism. One goes to prison for a year, and comes out to say that, if the government will relieve his clients of a portion of the rents already due, he hopes to see the Land League agitation abandoned. The other goes to prison for a little longer period, and comes out to say that the Land League will never be effaced until landlords everywhere are completely abolished. One stultifies himself by practically admitting that he has been demanding in the sacred name of justice and high morality that which his present attitude indicates that he is only entitled to beg for as a matter of charity. The other glorifies himself and his cause by writing Justice higher than ever on its banner, asking nothing of charity, and insisting that his own sufferings shall not be made of no avail by inglorious surrender of the righteous claims of the oppressed, but shall bear fruit in the inevitable abandonment of the unrighteous privileges of the oppressor. According to Parnell, the land agitation has been an unprincipled scramble; according to Davitt, it is still one of the grandest of revolutions. It redounds to the glory of the Irish people that in this crisis they are recognizing their true leader. In this connection we are happy to quote with warm approval the following words from an editorial in the Boston "Advertiser:" "It is not of paramount importance, even if Mr. Parnell should get wrecked on his own promises or silent pledges. He will have a very competent and singularly consistent successor in Mr. Michael Davitt, who is a man not greatly unlike Garibaldi or Kossuth, and by far the most considerable Irish nationalist now living. He is one of the very few Irishmen who refuse presents and honors. He is unwilling to sit in Parliament, unwilling to deal with the English government, unwilling to think of anything save Irish freedom, which he deems purchased none too dearly though it cost his life. Hence, the attitudes of Mr. Parnell are of very slender importance. If he fritter away his prestige, very little is lost."

Liberty.

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BOSTON, MASS., MAY 27, 1882.

"A free man is one who enjoys the use of his reason and his faculties; who is neither blinded by passion, nor hindered or driven by oppression, nor deceived by erroneous opinions."—PROUDHON.

The Red Cross Fund.

RECEIPTS TO MAY 23, 1882.

Previously acknowledged	$181.85
E. F. Hyland, Corvallis, Oregon	.50
Socialistic Section, San Francisco	10.00
Thomas F. Hagerty, San Francisco	1.00
S. Dannielwitze, San Francisco	1.00
A. J. Stanaweather, San Francisco	.25
Geo. H. Coursen, Jr., Edsallville, Penn.	.25
Sales of "English Tyranny and Irish Suffering"	.20
Charles Schofield, Chelsea, Mass.	2.00
Reuben Cooley, Jr., Georgia, Vermont	.50
Total,	$197.55

REMITTED TO NICOLAS TCHAIKOVSKY, LONDON.

March 31, Draft for £10, costing	$49.50
April 5, Draft for £10, costing	49.50
April 21, Draft for £10, costing	49.50
May 23, On hand,	49.05
	$197.55

ACKNOWLEDGMENT FROM TCHAIKOVSKY.

London, May 1, 1882.

Received from Benj. R. Tucker of Boston, U. S. A., £10 draft, as his third instalment for the Red Cross fund.

N. TCHAIKOVSKY, Delegate.

Leadership and Drivership.

There are two methods of inducing an individual to move on towards the goal of an ideal civilization. The first method is to place one's self squarely and openly before him — tangible to his eyes, ears, and understanding, — and seek by human persuasion and attraction to lead him.

In doing this the leader should always stand out of the subject's light. He should not make the remotest reference to force, as a possible alternative. He should not resort to any manner of strategy, by which to obscure the wits of the subject. He must not ask — much less coerce — the subject to pay the bills attending the experiment. If then, on his own merits and at his own cost, he succeeds in inducing the subject to follow him, he may consider himself fairly "elected" the guide and director of his subject, always, however, with the proviso that dissent at any moment on the part of his follower shall disqualify him from office, without appeal. An individual who is thus freely led, under these conditions, is "governed," if you will, but it is self-government, and is a perfect negation of the State.

The second method is the method of the State. It is to get behind the individual, — not before him, — and, armed with a good supply of whips, bayonets, clubs, and threats (all of which the subject to be governed is forced to pay for), coerce him to travel blindly whither he naturally could not be induced to go. Upon demanding of his driver a warrant for such brutal proceeding, the subject is possibly shown an old parchment concocted by former drivers before he was born. In vain does he protest that said constitution is not binding upon him without his consent. Thereupon insult is added to injury, and the coercive whips are seasoned with the epithets "traitor," "socialist," "communist," "anarchist," *etc.*

We have, then, these two principal methods of government, — leadership and drivership. The first is the method of Nature, and is found everywhere in rational social intercourse, wherever the State finds it impossible to interpose. The second is opposed to Nature, and is as irrational as it is irresponsible and brutal. Yet it is the method of the State. It is the method which it is thought treasonable to dissent from. It is animalism opposed to humanism. *It* is anarchy in the popular but perverted sense of that term, since it secures government from behind instead of before, debases instead of elevates, and even fails to accomplish the very purposes for which it pretends to be instituted. It is a crime and a failure.

There is another and subsidiary method of putting the individual over the road of State, which might very properly be called the *Jumbo trick*. It is a cross between leadership and drivership, and consists in seducing the subject into the political box and carting off his individuality on wheels, he of course being obliged to pay for his forced ride in the political Black Maria. This latter method is the one now chiefly in vogue in so-called "liberal" States, but is fully as unwarrantable, if not quite as discourteous, as the method of absolutism.

The method of Liberty is the method of voluntary leadership, as opposed to brutal drivership. We demand the abolition of every political State, since the essence of all is drivership. The *Jumbo trick* does not deceive us, although disguised under the names of constitutional monarchy and republic. We demand a rational and voluntary socialism in the place of political animalism; and that our demands are not chimerical the drift of passing events offers the most cheering and satisfying promise.

Obscenity and the State.

Oh, the blessings of republican government! Each day reveals them more clearly. Just consider the magnitude of the latest "blessing" conferred upon the fortunate American citizen. His susceptible nature saved from contamination by the "nastiness" of Walt Whitman! The danger was imminent. The monstrous old wretch, having after many years of conflict obtained recognition by the best minds of Europe and America, had actually worked himself into the good graces of a highly respectable Boston publishing house, and under the protection of its good name was spreading his villainous teachings among the people at large and preparing for the execution of the devil knows what fiendish designs upon the morals of our pure and innocent youth. But at this critical juncture in steps the ever-watchful State (oh, where should we be without it?) and says: "No, this shall not be; the budding moral natures now about to blossom under the influence of the literature, pure and undefiled, of Shakspere and the Bible shall not be withered by the base and burning passions of the author of 'Leaves of Grass.'" So District-Attorney Stevens warns the Osgoods; the Osgoods ask Whitman to eliminate certain poems, preparatory to the publication of a second edition; in the perversity of his hell-born nature he declines even to consider such a proposition, knowing that it would defeat his insidious plot (for did he not say as much on a former occasion when, negotiating with another publisher who desired him to omit an objectionable passage, he declared that he "wrote the whole book to get those six lines in"?); the Osgoods violate their contract, and turn over the plates to the author; the few copies remaining in the bookstores speedily disappear in the capacious and rapacious maw of a filth-loving public; and we are saved!

But, seriously, is it not a shameful satire upon our laws that one of them should brand with the most disgusting form of criminality the man and poet whose life and writings have won him the sincere admiration of the most competent critics living. But, even were the brand deserved, still would its bearer be more honorable than they who fix it upon him. For, disgusting as is the perversion of physical passion which finds expression in obscenity, it is much less dangerous to the public morals than the perversion of moral passion which finds expression in government. There is no desire, however low, whose satisfaction is so fraught with evil consequences to mankind as the desire to rule, and its worst manifestation is seen when it is directed against the tongues and pens and thoughts of men and women. Abolish, then, the instrument of this desire, the State, and leave obscenity to run its course. Where it will end all who understand the inherent weakness of vice when fairly pitted against virtue and intelligence well know. But in any case it can expose the world to no dangers approaching those resulting from laws aimed at its suppression, so well indicated by a writer in "L'Intransigeant," whose article appears in another column, and so alarmingly illustrated by this recent outrage upon the "Good Gray Poet" and those who love him for his words and works.

A Letter to Thomas F. Bayard:

CHALLENGING HIS RIGHT—AND THAT OF ALL THE OTHER SO-CALLED SENATORS AND REPRESENTATIVES IN CONGRESS—TO EXERCISE ANY LEGISLATIVE POWER WHATEVER OVER THE PEOPLE OF THE UNITED STATES.

To Thomas F. Bayard, of Delaware:

SIR,—I have read your letter to Rev. Lyman Abbott, in which you express the opinion that it is at least possible for a man to be a legislator, (under the Constitution of the United States), and yet be an honest man.

This proposition implies that you hold it to be at least possible that some four hundred men should, by some process or other, become invested with the right *to make laws of their own* — that is, *laws wholly of their own device*, and therefore necessarily distinct from the law of nature, or the principles of natural justice; and that these laws of their own making shall be really and truly obligatory upon the people of the United States; and that, therefore, the people may rightfully be compelled to obey them.

All this implies that you are of the opinion that the Congress of the United States, of which you are a member, has, by some process or other, become possessed of some right of *arbitrary dominion* over the people of the United States; which right of arbitrary dominion is not given by, and is, therefore, necessarily in conflict with, the law of nature, the principles of natural justice, and the natural rights of men, as individuals. All this is necessarily implied in the idea that the Congress now possesses any right whatever to make any laws whatever, *of its own device*—that is, any laws that shall be either more, less, or other than that natural law, which it can neither make, unmake, nor alter—and cause them to be enforced upon the people of the United States, or any of them, against their will.

You assume that the right of arbitrary dominion—that is, the right of making laws of their own device, and compelling obedience to them—is a "trust" that has been delegated to those who now exercise that power. You call it "*the trust of public power.*"

But, Sir, you are mistaken in supposing that any such power has ever been delegated, or ever can be delegated, by any body, to any body.

Any such delegation of power is naturally impossible, for these reasons, viz:—

1. No man can delegate, or give to another, any right of arbitrary dominion over himself; for that would be giving himself away as a slave. And this no one can do. Any contract to do so is necessarily an absurd one, and has no validity. To call such a contract a "Constitution," or by any other high-sounding name, does not alter its character as an absurd and void contract.

2. No man can delegate, or give to another, any right of arbitrary dominion over a third person; for that would imply a right in the first person, not only to make the third person his slave, but also a right to dispose of him as a slave to still other persons. Any contract to do this is necessarily a criminal one, and therefore invalid. To call such a contract a "Constitution" does not at all lessen its criminality, or add to its validity.

These facts, that no man can delegate, or give away, his own natural right to liberty, nor any other man's natural right to liberty, prove that he can delegate no right of arbitrary dominion whatever—or what is the same thing, no legislative power whatever—over himself or any body else, to any man, or body of men.

This impossibility of any man's delegating any legislative power whatever necessarily results from the fact, that the law of nature has drawn the line, and the only line—and that, too, a line that can never be effaced nor removed—between each man's own inherent and inalienable rights of person and property, and each and every other man's inherent and inalienable rights of person and property. It, therefore, necessarily fixes the unalterable limits, within which every man may rightfully seek his own happiness, in his own way, free from all responsibility to, or interference by, his fellow men, or any of them.

All this pretended delegation of legislative power—that is, of a power, on the part of the legislators, so-called, to make any laws of their own device, distinct from the law of nature—is therefore an entire falsehood; a falsehood, whose only purpose is to cover and hide a pure usurpation, by one body of men, of arbitrary dominion over other men.

That this legislative power, or power of arbitrary dominion, is a pure usurpation, on the part of those who now exercise it, and not "a trust" delegated to them, is still further proved by the fact that the only delegation of power, that is even professed or pretended to be made, is made *secretly*—that is, by

secret ballot—and not in any open and authentic manner; and therefore not by any men, or body of men, who make themselves personally responsible, as principals, for the acts of those to whom they profess to delegate the power.

All this pretended delegation of power having been made secretly—that is, only by secret ballot—not a single one of all the legislators, so-called, who profess to be exercising only a delegated power, has himself any legal knowledge, or can offer any legal proof, as to who the particular individuals were, who delegated it to him. And having no power to identify the individuals who professed to delegate the power to him, he cannot show any legal proof that any body ever even attempted or pretended to delegate it to him.

Plainly a man, who exercises any arbitrary dominion over other men, and who claims to be exercising only a delegated power, but cannot show who his principals are, nor, consequently, prove that he has any principals, must be presumed, both in law and reason, to have no principals; and therefore to be exercising no power but his own. And having, of right, no such power of his own, he is, both in law and reason, a naked usurper.

Sir, a secret ballot makes a secret government; and a secret government is a government by conspiracy; in which the people at large can have no rights. And that is the only government we now have. It is the government of which you are a voluntary member, and supporter, and yet you claim to be an honest man. If you are an honest man, is not your honesty that of a thoughtless, ignorant man, who merely drifts with the current, instead of exercising any judgment of his own?

For still another reason, all legislators, so-called, under the Constitution of the United States, are exercising simply an arbitrary and irresponsible dominion of their own; and not any authority that has been delegated, or pretended to have been delegated, to them. And that reason is, that the Constitution itself (Art. 1, Sec. 6) prescribes that:—

"For any speech or debate [or vote] in either house, they [the Senators and Representatives] shall not be questioned [held to any legal responsibility] in any other place."

This provision makes the legislators constitutionally irresponsible to anybody; either to those on whom they exercise their power, or to those who may have, either openly or secretly, attempted or pretended to delegate power to them. And men, who are legally responsible to nobody for their acts, cannot truly be said to be the agents of any body, or to be exercising any power but their own: for all real agents are necessarily responsible both to those *on* whom they act, and to those *for* whom they act.

To say that the people of this country ever have bound, or ever could bind, themselves by any contract whatever—the Constitution, or any other—to thus give away all their natural rights of property, liberty, and life, into the hands of a few men—a mere conclave—and that they should make it a part of the contract itself that these few men should be held legally irresponsible for the disposal they should make of those rights, is an utter absurdity. It is to say that they have bound themselves, and that they could bind themselves, by an utterly idiotic and suicidal contract.

If such a contract had ever been made by one private individual to another, and had been signed, sealed, witnessed, acknowledged, and delivered, with all possible legal formalities, no decent court on earth—certainly none in this country—would have regarded it, for a moment, as conveying any right, or delegating any power, or as having the slightest legal validity, or obligation.

For all the reasons now given, and for still others that might be given, the legislative power now exercised by Congress, is, in both law and reason, a purely personal, arbitrary, irresponsible, usurped dominion on the part of the legislators themselves, and not a power delegated to them by anybody.

Yet under the pretence that this instrument gives them the right of an arbitrary and irresponsible dominion over the whole people of the United States, Congress has now gone on, for ninety years and more, filling great volumes with laws of their own device, which the people at large have never read, nor ever seen, nor ever will read or see; and of whose legal meanings it is morally impossible that they should ever know any thing. Congress has never dared to require the people even to read these laws. Had it done so, the oppression would have been an intolerable one; and the people, rather than endure it, would have either rebelled, or overthrown the government, or would have fled the country. Yet these laws, which Congress has not dared to require the people even to read, it has compelled them, at the point of the bayonet, to obey.

And this moral, and legal, and political monstrosity is the kind of government which Congress claims that the Constitution authorizes it to impose upon the people.

Sir, can you say that such an arbitrary and irresponsible dominion as this, over the properties, liberties, and lives of fifty millions of people—or even over the property, liberty, or life of any one of those fifty millions—can be justified on any reason whatever? If not, with what color of truth can you say that you yourself, or anybody else, can act as a legislator, under the Constitution of the United States, and yet be an honest man?

To say that the arbitrary and irresponsible dominion, that is exercised by Congress, has been delegated to it by the Constitution, *and not solely by the secret ballots of the voters for the time being*, is the height of absurdity; for what is the Constitution? It is, at best, a writing that was drawn up more than ninety years ago; was assented to at the time only by a small number of men; generally those few white male adults who had prescribed amounts of property; probably not more than two hundred thousand in all; or one in twenty of the whole population.

Those men have been long since dead. They never had any right of arbitrary dominion over even their contemporaries; and they never had any over us. Their wills or wishes have no more rightful authority over us, than have the wills or wishes of men who lived before the flood. They never personally signed, sealed, acknowledged, or delivered, or dared to sign, seal, acknowledge, or deliver, the instrument which they imposed upon the country as law. They never, in any open and authentic manner, bound even themselves to obey it, or made themselves personally responsible for the acts of their so-called agents under it. They had no natural right to impose it, as law, upon a single human being. The whole proceeding was a pure usurpation.

In practice, the Constitution has been an utter fraud from the beginning. Professing to have been "ordained and established" by "*We, the people of the United States*," it has never been submitted to them, as individuals, for their voluntary acceptance or rejection. They have never been asked to sign, seal, acknowledge, or deliver it, as their free act and deed. They have never signed, sealed, acknowledged, or delivered it, or promised, or laid themselves under any kind of obligation, to obey it. Very few of them have ever read, or even seen it; or ever will read or see it. Of its legal meaning (if it can be said to have any) they really know nothing; and never did, nor ever will, know any thing.

Why is it, Sir, that such an instrument as the Constitution, for which nobody has been responsible, and of which few persons have ever known any thing, has been suffered to stand, for the last ninety years, and to be used for such audacious and criminal purposes? It is solely because it has been sustained by the same kind of conspiracy as that by which it was established; that is, by the wealth and the power of those few who were to profit by the arbitrary dominion it was assumed to give them over others. While the poor, the weak, and the ignorant, who were to be cheated, plundered, and enslaved by it, have been told, and some of them doubtless made to believe, that it is a sacred instrument, designed for the preservation of their rights.

These cheated, plundered, and enslaved persons have been made to feel, if not to believe, that the Constitution had such miraculous power, that it could authorize the majority (or even a plurality) of the male adults, for the time being—a majority numbering at this time, say, five millions in all—to exercise, through their agents, secretly appointed, an arbitrary and irresponsible dominion over the properties, liberties, and lives of the whole fifty millions; and that these fifty millions have no rightful alternative but to submit all their rights to this arbitrary dominion, or suffer such confiscation, imprisonment, or death as this secretly appointed, irresponsible cabal, of so-called legislators, should see fit to resort to for the maintenance of its power.

As might have been expected, and as was, to a large degree, at least, intended, this Constitution has been used from the beginning by ambitious, rapacious, and unprincipled men, to enable them to maintain, at the point of the bayonet, an arbitrary and irresponsible dominion over those who were too ignorant and too weak to protect themselves against the conspirators who had thus combined to deceive, plunder, and enslave them.

Do you really think, Sir, that such a constitution as this can avail to justify those who, like yourself, are engaged in enforcing it? Is it not plain, rather, that the members of Congress, as a legislative body, whether they are conscious of it, or not, are, in reality, a mere cabal of swindlers, usurpers, tyrants, and robbers? Is it not plain that they are stupendous blockheads, if they imagine that they are anything else than such a cabal? or that their so-called laws impose the least obligation upon anybody?

If you have never before looked at this matter in this light, I ask you to do so now. And in the hope to aid you in doing so candidly, and to some useful purpose, I take the liberty to mail for you a pamphlet entitled:

"NATURAL LAW; OR THE SCIENCE OF JUSTICE; *a Treatise on Natural Law, Natural Justice, Natural Rights, Natural Liberty, and Natural Society; Showing That All Legislation Whatsoever Is an Absurdity, A Usurpation, and a Crime. Part I.*

In this pamphlet, I have endeavored to controvert distinctly the proposition that, by any possible process whatever, any man, or body of men, can become possessed of any right of arbitrary dominion over other men, or other men's property; or, consequently, any right whatever to make any law whatever, *of their own*—distinct from the law of nature—and compel any other men to obey it.

I trust I need not suspect you, as a legislator under the Constitution, and claiming to be an honest man, of any desire to evade the issue presented in this pamphlet. If you shall see fit to meet it, I hope you will excuse me for suggesting that—to avoid verbiage, and everything indefinite—you give at least a single specimen of a law that either heretofore has been made, or that you conceive it possible for legislators to make—that is, some law of their own device—that either has been or shall be, really and truly obligatory upon other persons, and which such other persons have been, or may be, rightfully compelled to obey.

If you can either find or devise any such law, I trust you will make it known, that it may be examined, and the question of its obligation be fairly settled in the popular mind.

But if it should happen that you can neither find such a law in the existing statute books of the United States, nor, in your own mind, conceive of such a law as possible under the Constitution, I give you leave to find it, if that be possible, in the constitution or statute book of any other people that now exist, or ever have existed, on the earth.

If, finally, you shall find no such law, anywhere, nor be able to conceive of any such law yourself, I take the liberty to suggest that it is your imperative duty to submit the question to your associate legislators; and, if they can give no light on the subject, that you call upon them to burn all the existing statute books of the United States, and then to go home and content themselves with the exercise of only such rights and powers as nature has given to them in common with the rest of mankind.

LYSANDER SPOONER.

BOSTON, May 27, 1882.

Pornography.

A proposition by a French deputy named Goblet for the enactment of a law against obscenity recently elicited the following protest from Maurice Talmeyr, one of the writers for "L'Intransigeant:"

It appears that M. Goblet burns with a desire to attach his name to a law against pornography. It is well known what M. Goblet is. What is pornography?

Pornography is obscenity in books, journals, and works of art. As it actually induces the sale of many obscene pictures and pamphlets, the intention is to ask the Chambers to pass a law prohibiting the sale and punishing the authors.

Here we once more meet face to face one of the oldest questions of Liberty ever discussed. We are not surprised that it is not yet solved in the minds of all, but we do not believe that there are many questions concerning which experience furnishes so many arguments in favor of absolute Liberty.

Those of our contemporaries who, holding a pen, ask to be enabled to prosecute dealers in obscenity remind us a little of the winegrowers who uproot almond trees from their vineyards because they shut out the sun. To avoid the loss of three grapes they deprive themselves of a fine crop of almonds. To save themselves from the unpleasantness of two or three improper street-cries or a few suspicious leaflets, to which only those who secretly delight in them ever pay attention, they risk the consignment of nine-tenths of literature to the paper-mill.

To the repressive laws which are supposed to menace only pornography, but which really menace art itself, we shall always oppose the old argument—as old as the world and equally as solid—that has always been opposed to them:

Tell us where, in art, obscenity begins; tell us where it ends; fix a limit that shall not be so arbitrary and movable that the obscene of yesterday may become the sublime of to-morrow. Do that, and then you may intelligently legislate against pornography. Until then hands off, and let the unclean sheets appear, lest to-morrow some idiot should take it upon himself to prevent us from reading "Pantagruel," the "Religieuse," or the "Man with Forty Crowns."

Why is it not yet recognized, in the face of so many well-known instances, that obscenity, like morality, is the most elastically relative and hence the most intangible and indefinable thing in the world? "Madame Bovary," in which it is impossible to discover anything at all obscene, was prosecuted nevertheless, under the empire as obscene. Why? The edition of La Fontaine's "Fables," called of the "Farmers General," a few years ago was destroyed, ground up, and annihilated at the command of the courts. Why?

Why? Because there was a law that entrusted the whole of art and the whole of literature to the prudery of a tribunal,—that is, to four or five simple men always liable to be dull and mischievous idiots; because prudery, like vice, has no boundaries; because such or such a judge, having to pass upon a pamphlet or a picture, will perhaps decide that in his personal opinion all nudity is obscene, and that the very word "love" is wounding to modesty; because no library, at any given moment, would stand the test of certain possible standards, and because thenceforth everything would disappear, from the "Iliad" to the "Legend of the Centuries."

There exists a sect of Protestants whose members put breeches on the legs of their pianos lest they might inspire impure thoughts. And after all perhaps they do inspire them. Let us leave these pantaloon fanatics to seek their pleasure where they find it, but let us hope never to be judged by them.

Yet that is what the Goblet law may prove one day to hold in store for us. Whoever the editor, it would always put the book, the picture, and the journal at the mercy of personal estimates; it would contribute its share to the persecution with which men, we know not why, have always pursued the human mind.

MORTALITY.

Full closely neighbored foul and fair reside
In mortals. Face of virgin loveliness,
White bosom's ivory contours, silken tress,
Sweet lips, whose accents like to honey glide,
And roseate blush, all charms of youthful bride
Flourish above digestion's ferment foul
And visceral ordure. Once the parting soul
Its organs saw effaced by breeze and fire,
Incinerated on the resinous pyre,
'Twas a purgation flesh might well desire.
Better the Parsee's burial tower and wings
Of gorging vultures than corruption slow
And ravages of many-footed things,
That banquet on the dead in charnels low. B.

Love and the Law.

One of the ablest writers for the Paris "Figaro" whose pseudonym is "Ignotus," has been publishing some extremely conservative articles on various phases of socialism, in which he says much that commands the assent of extreme radicals, thus fortifying the maxim that "extremes meet." Gramont, the radical young duke who contributes so ably to the columns of Rochefort's "Intransigeant," has been noting some of these agreements, and here is what he says of one of "Ignotus's" latest articles, on the law against adultery:

Here we meet again, in common ideas,—we who start from points so opposite. But is this the first time that men animated by absolutely contradictory principles have met on the same ground? No, no. Such meetings are not rare. Why? Because men of principle have the peculiarity of being logical, and the ways of logic are mysterious. The men with whom we shall never agree are those to whom "there are no principles, but only events." Who said that? Vautrin, in his famous discourse at Rastignac. Vautrin was the first to formulate the doctrine of opportunism.

Once more, then, we have found, in an article signed "Ignotus," numerous ideas which are our own, although inspired by very different principles. This article, entitled, "The Law of Adultery," begins with observations hostile to divorce. We, too, are against divorce. "Ignotus" opposes it because, a Catholic, he favors indissoluble marriage. We oppose it because we favor no marriage at all.

We should not content ourselves with words. Neither is it necessary to give words narrow meanings. The word "divorce" is capable of being interpreted in the broadest sense, as the law of 1792, I believe, interpreted it. If "divorce" signified that the will of one of the partners shall suffice to sever a union, while respecting (an indispensable condition) the rights of the wife, divorce then would be free union, and it would satisfy us. But we know perfectly well what is meant by the divorce which our law-makers contemplate, and that it will be directed exclusively against the woman. Why so? "Ignotus" gives the reason:

After ten or twelve years of family life, the value of the man, *as far as a second marriage is concerned*, has usually increased, while that of the woman has diminished.

What compensation will you give to your *divorced wives* for the waste that they have undergone? None. "Woman," says one of the manifestoes of the International Working-People's Association, "should be neither a slave nor an instrument of pleasure." Well, existing marriage makes a slave of woman. Marriage, coupled with divorce as ordinarily understood, will make of her a simple instrument of pleasure. To deliver woman and, above all, to protect her interests from damage,—that is the task, of urgent necessity, and to be done with absolute justice.

At present one of the most flagrant, most crying iniquities of our code is the monstrous difference between the adultery of the woman and that of the man. This abomination is so evident that nothing but the utmost stupidity and baseness could have prevented its disappearance from our laws. "Ignotus" points it out, and protests against it. We have pointed it out also; we shall not cease to denounce it as long as it stands. That a husband who is known to have mistresses may prosecute his wife as an adulteress and shut her up in that unclean Saint-Lazare, which is one of the shames of our society, is one of the most profoundly demoralizing of the provisions of the law. Ah! it is not by us that the family is undermined, but rather by the laws which are supposed to protect it!

Nevertheless, in spite of the voices heard on all sides, the present law of adultery will not be repealed, and a divorce will be voted which will not break woman's chains, and which will have no other object than to prop up the tottering marriage institution. Shall we be disconsolate? Not at all. We remember the discussion in the Chamber concerning the law on the right of public meeting. M. Louis Blanc had spoken on the side of Liberty. When the well-known restrictive law had been passed, the orator reascended the tribune, and, to the great scandal of the majority, uttered these words:

"Undoubtedly your law is better than those which it repeals; but we should prefer a worse one, because it would not last as long."

We are quite of this opinion regarding legislative enactments. Consequently we shall not look unfavorably upon the divorce law, because, in our opinion, this measure will hasten the definitive victory of the concubine over the bride, of the mistress over the legitimate wife, of love over marriage.

An Earthly Valhalla.

How little remains of the "religion of Christ and His wounds," beyond its hollow forms which are now but mockeries, is eloquently indicated in the following passage, with which Moncure D. Conway, in the Cincinnati "Commercial," concludes a description of the burial of Charles Darwin in Westminster Abbey:

It was very dark in the Abbey, and the lights of the choir but feebly struggled with the gloom. There was something almost spectral in the silent slow moving of the procession with noiseless tread. Around them in every direction the throng of marble statues were discernible, as a cloud of witnesses gathered to receive the new comer in their Valhalla. But it was an earthly Valhalla. The darkness of the Abbey, only made visible by occasional lamps, might have been regarded by those saints of the still radiant windows as emblematic of the curtain which knowledge has drawn close beyond the grave. That which was once seen as a portal has now become a final chamber. The ancient hopes are heard again: "I am the Resurrection and the Life," "The trumpet shall sound," "It is sown in corruption, it is raised in incorruption,"—but more vainly than the lamps do they contend with the agnostic mind of the modern world this day supreme in the temple built by ancient belief. Canon Prothero, who, the Dean being absent from England, officiated, must have felt a chill about the heart, when duty compelled him to thank God for removing Darwin out of this wicked world. It seemed like the hollow sound of some ancient Dead Sea wave, rejoicing that it had managed to quench a beacon along the coast of humanity. If the agnostic darkness around the grave is ever dissipated, it will not be while the shadows of Dark Ages still pretend to be clear light. But the antiquarian service ends. And the gloom of the Abbey lifts a little as around the grave the white-robed little choristers gather and sing the anthem in which every heart could unite,—and oh, how gloriously it rang out amid the arches and the statues and the mourning concourse of men and women!—"His body is buried in peace, but his name liveth for evermore."

The Folly of the "Grab Bag" System.

To the Editor of Liberty:

DEAR SIR,—Here is a proposition, or, rather, a statement of facts, which, if printed on a hand-bill, would do more to make the millions think, and — what is of equal importance — *act*, than nine-tenths of all the educational matter sent out. There are thirty-five thousand millions of wealth in the nation, seven hundred dollars to each one of fifty millions of people. Now, how can we all become rich on seven hundred dollars apiece?

Worse yet, there are many who have already from one to one hundred millions, and a larger number having many thousands, all with legal hooks in their hands wherewith to grab more.

The wealth of the nation is in an immense *grab bag*; its acquisition is a grab game, in which, if *all* are drawers of prizes, each gets but little, and if, by chance or legislation, only a *few*, the masses get nothing.

It seems to me that a presentation of the case in the above manner would reach and operate on thousands who still think there is a *fortune* for them. An illustrated handbill stating the above fact would *make a stir*.

But I don't look for anything of the kind from American "agitators." If the Irish fail to hold their grip, then the "end of the world," I fear, is not to be seen by us. I have thought from the start, however, that their movement would prove to be the beginning of the *end*.

Universal bankruptcy is the medicine that will give the world an appetite for its natural food. When the millions who now are deluded with the idea that there is a prize for them in the (grab) *bag* cease to foot the bills and pay the interest arising from the folly of the present gambling system left them by past generations, then will their enemies and the enemies of truth be vanquished. Then, with less labor than they *now expend to get what does not exist*, they will have enough to make them comfortable and happy, which is more than they have now, or can have, because it is not in the *Bag*.

Respectfully yours,

SIMEON STETSON.

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